

House Bill 1352

By: Representative Smith of the 113th

A BILL TO BE ENTITLED
AN ACT

To amend Part 2 of Article 2 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to the University System of Georgia, so as to provide for a University System Fiscal and Administrative Oversight Commission; to provide for membership of the commission; to provide for the affairs of the commission; to provide that the commission shall serve only as an investigating, reporting, and advising body and shall have no power over the government, control, and management of the University System of Georgia; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Part 2 of Article 2 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to the University System of Georgia, is amended by adding a new Code section to read as follows:

"20-3-88.

(a)(1) There is created the University System Fiscal and Administrative Oversight Commission, to be composed of:

(A) Three members with substantial experience in fiscal, accounting, or administrative affairs to be appointed by the Governor, at least two of whom shall be graduates of a unit of the University System of Georgia;

(B) Three members with substantial experience in fiscal, accounting, or administrative affairs to be appointed by the Senate Higher Education Committee, at least two of whom shall be graduates of a unit of the University System of Georgia; and

(C) Three members with substantial experience in fiscal, accounting, or administrative affairs to be appointed by the House Committee on Higher Education, at least two of whom shall be graduates of a unit of the University System of Georgia.

(2) The initial terms of members appointed pursuant to subparagraph (a)(1)(A) of this Code section shall be for one year and until their successors are appointed and qualified;

the initial terms of members appointed pursuant to subparagraph (a)(1)(B) of this Code section shall be for two years and until their successors are appointed and qualified; and the initial terms of members appointed pursuant to subparagraph (a)(1)(C) of this Code section shall be for three years and until their successors are appointed and qualified. The terms of all successors shall be for terms of three years and until their successors are appointed and qualified. No person shall be appointed to more than two successive terms on the commission.

(3) Any vacancy on the commission shall be filled in the same manner as the original appointment, and any person so appointed to fill a vacancy shall serve for the remainder of the unexpired term.

(4) No person shall be a member of the commission who is a member of the Board of Regents; chancellor of the University System of Georgia; or president, vice-president, or dean of any university, college, school, or department of any unit of the University System of Georgia.

(5) The commission shall meet at least three times during each fiscal year. At its first meeting in each fiscal year, the commission shall elect a chairperson, vice-chairperson, and secretary to hold office until the end of that fiscal year. No person may be reelected as chairperson at the end of his or her period of service in that office.

(6) Members of the commission who are not employed by any state department or agency shall receive the same allowances authorized for legislative members of interim legislative committees for each day of actual attendance at official meetings of the commission.

(7) The commission shall be attached to the office of the Governor for administrative purposes only in accordance with Code Section 50-4-3.

(b)(1) The commission shall periodically inquire into and review the fiscal affairs and efficiency of administration of the University System of Georgia. The commission may conduct any independent audit or investigation of the fiscal or administrative affairs of the University System of Georgia or the Board of Regents as it deems necessary. Such inquiries, reviews, evaluations, audits, and investigations shall be retrospective, examining the most recently completed fiscal year. Subject to availability of funds, the commission may hire staff or contract with other qualified persons to assist the commission in the performance of its duties. The commission shall not inquire into any curricula, courses of instruction, other academic policies, conduct of teaching or research faculty, or subject matters or methods of research programs of any unit of the University System of Georgia.

(2) The commission shall have the power:

63 (A) To consult any public records which may be relevant to any inquiry. Public
64 records requested by the commission under this subparagraph shall not be withheld
65 from the commission except as provided by Code Section 50-18-72 or other applicable
66 law;

67 (B) To make inquiry of the Board of Regents or any administrative officer of any unit
68 of the University System of Georgia on matters pertaining to a subject of inquiry
69 authorized by paragraph (1) of this subsection; and

70 (C) To request that a matter relating to a subject of inquiry authorized by paragraph (1)
71 of this subsection be put down for discussion by the Board of Regents.

72 (c) The commission may report to the Board of Regents, the Governor, the Senate Higher
73 Education Committee, or the House Committee on Higher Education on any matters falling
74 within the scope of the commission's authority and to which, in the commission's opinion,
75 attention should be drawn.

76 (d) The commission shall serve only as an investigating, reporting, and advising body.
77 The commission shall have no power over the government, control, and management of
78 the University System of Georgia or of any unit of such system."

79 **SECTION 2.**

80 All laws and parts of laws in conflict with this Act are repealed.